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RECEIVED  
MAR 06 1993  
HUB LAW OFFICES

9 Attorneys for Plaintiff  
10 and Cross-Defendant  
11 CHURCH OF SCIENTOLOGY INTERNATIONAL

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 FOR THE COUNTY OF LOS ANGELES

13 CHURCH OF SCIENTOLOGY )	Case No. BC 052395
14 INTERNATIONAL, a California )	
15 not-for-profit religious )	NOTICE OF MOTION AND
16 corporation; )	MOTION BY CROSS-DEFENDANT
17 Plaintiff, )	CHURCH OF SCIENTOLOGY
18 vs. )	INTERNATIONAL FOR SUMMARY
19 GERALD ARMSTRONG; DOES 1 )	ADJUDICATION OF THE SECOND
20 through 25, inclusive, )	AND THIRD CAUSES OF ACTION
21 Defendants. )	OF THE CROSS-COMPLAINT
22 )	Dept.: 30
23 )	Date: March 31, 1993
24 )	Time: 8:30 a.m.
25 )	Trial Date: May 3, 1993
26 )	Disc. Cut-Off: April 2, 1993
27 )	Mtn Cut-Off: April 19, 1993
28 )	

23 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:  
24 PLEASE TAKE NOTICE that on March 31, 1993 at 8:30 a.m. in  
25 Department 30 of the above entitled Court, Cross-Defendant Church  
26 of Scientology International (the "Church") will move for an  
27 order adjudicating that the Second and Third Causes of Action of  
28

1 the Verified Amended Cross-Complaint of defendant and cross-  
2 complainant Gerald Armstrong ("Armstrong") (for Abuse of Process  
3 and Breach of Contract) should be adjudicated in favor of the  
4 Church as a matter of law pursuant to Code of Civil Procedure  
5 §437c(f).

6 This motion is made on the grounds that (1) there is no  
7 provision in the subject Settlement Agreement which prohibits the  
8 Church from doing those acts which allegedly constitute breach of  
9 the Settlement Agreement; (2) most of Armstrong's claims for  
10 abuse of process are barred by the statute of limitations; and  
11 (3) the remaining acts of which Armstrong complains are, as a  
12 matter of law, insufficient to state a claim for abuse of  
13 process.

14 This motion is based on this Notice, the accompanying  
15 Memorandum of Points and Authorities, the Church's Separate  
16 Statement of Undisputed Facts in Support of Motion for Summary  
17 Adjudication of Issues, the Declaration of Andrew H. Wilson, the  
18 records and other documents on file in this action, and on all  
19 other matters that may be adduced at the hearing of this Motion.

20 Dated: March 3, 1993

WILSON, RYAN & CAMPILONGO

21  
22 BY: AS/  
ANDREW H. WILSON

23 Laurie J. Bartilson  
24 BOWLES & MOXON

25 Attorneys for Cross-  
26 Defendant  
CHURCH OF SCIENTOLOGY  
INTERNATIONAL

PROOF OF SERVICE

STATE OF CALIFORNIA     )  
                                  )    ss.  
COUNTY OF LOS ANGELES    )

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Blvd., Suite 2000, Hollywood, California 90028.

On March 3, 1993, I served the foregoing document described as NOTICE OF MOTION AND MOTION BY CROSS-DEFENDANT CHURCH OF SCIENTOLOGY INTERNATIONAL FOR SUMMARY ADJUDICATION OF THE SECOND AND THIRD CAUSES OF ACTION OF THE CROSS-COMPLAINT on interested parties in this action by

placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

placing  the original  a true copy thereof in sealed envelopes addressed as follows:

Paul Morantz  
P.O. Box 511  
Pacific Palisades, CA 90272

BY MAIL

\*I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Executed on \_\_\_\_\_, 1993, at Los Angeles, California.

[X] \*\*(BY PERSONAL SERVICE) I delivered such envelope by hand to the offices of the addressee.

Executed on March 3, 1993, at Los Angeles, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[ ] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Signature

\* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

\*\* (For personal service signature must be that of messenger)

PROOF OF SERVICE

STATE OF CALIFORNIA     )  
                                  )     ss.  
COUNTY OF LOS ANGELES     )

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[ ] placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

[X] placing [ ] the original [X] a true copy thereof in sealed envelopes addressed as follows:

Ford Greene                                     **By U.S. Mail & Fax**  
HUB Law Offices  
711 Sir Francis Drake Boulevard  
San Anselmo, CA     94960-1949

[X] BY MAIL

[ ] \*I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

[X] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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